

U.S. Appl. No. 09/934,192
Reply to Office Action dated April 18, 2006

PATENT
450100-03419

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are pending in this application. Claims 1 and 5, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over European Patent Application 0 865 192 A2 to Yamakita in view of U.S. Patent No. 6,092,114 to Shaffer, et al.

Claim 1 recites, *inter alia*:

“...a transmitting electronic device including at least an e-mail sending/receiving function for attaching obtained original data to the e-mail, adding a processing command, and sending the e-mail to a network; and

a relay server for receiving the e-mail sent from said transmitting electronic device, processing the

U.S. Appln. No. 09/934,192
Reply to Office Action dated April 18, 2006

PATENT
450100-03419

original data attached to the e-mail based on the added processing command, attaching the processed data to the e-mail, and sending the e-mail to a receiving electronic device,

wherein said processing command is added to the obtained original data at the time of obtainment and indicates an instruction for editing the obtained original data.” (Emphasis Added)

As understood by Applicant, European Patent Application 0 865 192 A2 to Yamakita, et al. (hereinafter, merely “Yamakita”) relates to a portable terminal that transmits image data via a network and an apparatus for performing image processing based on a recognition result of received image data. A user of the portable terminal can send image data as an email by adding an email address and information indicating that the service being requested of the host device is mail transmission. Additionally, fax transmission can be requested from the host device. The cited portions of Yamakita, specifically column 9, lines 30-48, and column 10, lines 8-47, disclose that a user can attach a memo to image data. The inputted memo includes an email address and the words “Email Transmission”. The host service performs the service requested by the user in the memo of the transmitted image data.

As understood by Applicant, U.S. Patent No. 6,092,114 to Shaffer, et al. (hereinafter, merely “Shaffer”) relates to performing file-format conversions of electronics message attachments.

Applicant respectfully submits that nothing has been found in Yamakita or Shaffer, taken alone or in combination, that would teach or suggest the above-identified features of claim 1.

Specifically, Applicant respectfully submits that Yamakita and Shaffer fail to disclose or suggest a transmitting electronic device including at least an e-mail sending/receiving

U.S. Appl. No. 09/934,192
Reply to Office Action dated April 18, 2006

PATENT
450100-03419

function for attaching obtained original data to the e-mail, adding a processing command, and sending the e-mail to a network, and a relay server for receiving the e-mail sent from said transmitting electronic device, processing the original data attached to the e-mail based on the added processing command, attaching the processed data to the e-mail, and sending the e-mail to a receiving electronic device, wherein said processing command is added to the obtained original data at the time of obtainment and indicates an instruction for editing the obtained original data, as recited in claim 1.

Therefore, independent claim 1 is patentable.

For reasons similar to those described above, independent claim 5 is also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.


U.S. Appl. No. 09/934,192
Reply to Office Action dated April 18, 2006

PATENT
450100-03419

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800